

September 24, 2007

DECISION AND ORDER
OF THE DEPARTMENT OF ENERGY

Supplemental Order

Name of Petitioner: Crude Oil Supplemental Refund Distribution

Date of Filing: September 21, 2007

Case Number: RB272-10135

This decision grants supplemental crude oil refunds. The names of the recipients and the amount of the refunds are listed in the Appendix to this decision.

This supplemental refund decision concerns the crude oil overcharge refund proceeding. Pursuant to the long-standing policy of the Department of Energy (DOE), thousands of purchasers of petroleum products have applied for, and been granted, refunds from crude oil overcharge funds under the jurisdiction of the DOE's Office of Hearings and Appeals (OHA). See Modified Statement of Restitutionary Policy In Crude Oil Cases, 51 Fed. Reg. 27899 (August 4, 1986). The standards for considering Applications for Refund from these crude oil funds are set forth at 10 C.F.R. Part 205, Subpart V. The deadline for applications in the crude oil proceeding was June 30, 1995.

The OHA has approved more than 87,000 crude oil overcharge refund applications. A claimant is generally eligible for a refund equal to the number of gallons of eligible refined petroleum products it purchased during the period August 19, 1973 through January 27, 1981, multiplied by a per gallon refund amount. That per gallon refund amount, also referred to as the volumetric, is derived by dividing the total refund monies available by the total U.S. consumption of petroleum products during the crude oil price control period. Originally, the DOE calculated refunds at a \$0.0002 per gallon volumetric. In 1989, the DOE increased the volumetric to \$0.0008 per gallon, and applicants paid at the lower \$0.0002 per gallon rate were eligible for a \$0.0006 per gallon supplemental payment. See Crude Oil Supplemental Refund Distribution, 18 DOE ¶ 85,878 (1989). In 1995, the DOE increased the volumetric to \$0.0016 per gallon, and applicants paid at the lower \$0.0008 per gallon rate were eligible for a \$0.0008 per gallon supplemental payment.

On January 13, 2006, the DOE announced that applicants paid at the lower \$0.0016 per gallon rate were eligible for an additional \$0.000695389 per gallon supplemental refund. 71 Fed. Reg. 2195 (January 13, 2006). In order to receive this supplemental refund check, applicants were required to verify that their name and address in our records was correct, to correct any information that was not accurate, and to verify whether the refund could not be paid to the original applicant for any reason, e.g., due to death, divorce, bankruptcy or dissolution of a business.

On August 20, 2007, the DOE announced that a final additional \$0.000083748502302897 per gallon refund would be paid to all applicants who had been found eligible for the \$0.000695389 per gallon supplemental refund announced on January 13, 2006. 72 Fed. Reg. 46461 (August 20, 2007). We have previously ordered the payment of the \$0.000695389 per gallon supplemental refund to the applicants listed in the Appendix to this decision. Therefore, this decision approves final supplemental refunds of \$0.000083748502302897 per gallon to these applicants. Refunds are rounded to the nearest dollar. For each applicant, the Appendix contains the name, case number, and the amount of the supplemental refund. The decision approves supplemental refunds for 80 applicants, totaling \$702,881.00.

It Is Therefore Ordered That:

- (1) The Director of Special Accounts and Payroll, Office of Departmental Accounting and Financial Systems Development, Office of the Controller of the Department of Energy shall take appropriate action to disburse supplemental refunds to Steptoe & Johnson, on behalf of the Applicants listed in the Appendix to this Order, in the amount of \$702,881.00, via ACH payment, as set forth in a memorandum accompanying this Decision and Order.
- (2) The funds shall be disbursed from the escrow fund denominated Crude Tracking-Claimants 4, Account No. 999DOE010Z, maintained at the Department of the Treasury.
- (3) Applicants shall notify the Office of Hearings and Appeals in the event that there is a change of address, or if an address correction is necessary. Such notification shall be sent to:

Director of Management Information
Office of Hearings and Appeals
Department of Energy
1000 Independence Avenue, S.W.
Washington, D.C. 20585-0107
- (4) Any conditions imposed that applied to an applicant's receipt of the initial crude oil refund shall also apply to that applicant's receipt of this supplemental refund.
- (5) The determinations made in this Decision and Order are based upon the presumed validity of the statements and documentary material submitted by the applicants. This

Decision and Order may be revoked or modified at any time upon a determination that the basis underlying a refund application is incorrect.

(6) This is a final Order of the Department of Energy.

Poli A. Marmolejos
Acting Director
Office of Hearings and Appeals

Date: September 24, 2007

Appendix - Supplemental Refund Case No. RB272-10135

Case No.	Firm	Volume	Refund
RC272-00143	KRONOS MARITIME AGENCY S.A.	48,932,240	\$4,098.00
RC272-00144	OCEAN FREIGHTERS LTD.	1,892,990	\$159.00
RC272-00145	EPIROTIKI STEAMSHIP CO.	4,267,989	\$357.00
RC272-00146	PROMETHEUS MARITIME CORP.	32,943,592	\$2,759.00
RC272-00147	EASTERN MEDITERRANEAN MARITIME	7,351,209	\$616.00
RC272-00148	THENAMARIS, INC.	38,743,411	\$3,245.00
RC272-00149	UNION COMMERCIAL STEAMSHIP CO.	5,584,291	\$468.00
RF272-00114	STOLT PARCEL TANKERS, INC.	240,802,548	\$20,167.00
RF272-00250	CUNARD STEAM-SHIP CO.	118,903,868	\$9,958.00
RF272-00251	WALLENIUSREDERIERNA A.B.	185,810,103	\$15,561.00
RF272-00253	CMA-CGM	107,972,604	\$9,043.00
RF272-00371	ASSOC. CONTAINER TRANSPORT LTD	157,821,516	\$13,217.00
RF272-00372	BLUE STAR LINE, LTD.	74,342,977	\$6,226.00
RF272-01148	SOUTH AFRICAN AIRWAYS	21,452,216	\$1,797.00
RF272-01149	SOCIETE ANONYME BELGE	133,923,656	\$11,216.00
RF272-01150	ICELANDAIR	56,141,806	\$4,702.00
RF272-01151	KLM ROYAL DUTCH AIRLINES	288,098,022	\$24,128.00
RF272-01152	DEUTSCHE, LUFTHANSA AKTIENGES	522,844,066	\$43,787.00
RF272-01153	FINNAIR	20,127,098	\$1,686.00
RF272-01154	ROYAL AIR MAROC	16,339,992	\$1,368.00
RF272-01155	AIR CANADA	276,938,000	\$23,193.00
RF272-01156	AEROLINEAS ARGENTINAS S.E.	85,744,392	\$7,181.00
RF272-01157	AIR NEW ZEALAND LTD.	134,287,171	\$11,246.00
RF272-01158	AIR CANADA	86,965,876	\$7,283.00
RF272-01159	CHINA AIRLINES, LTD.	156,502,473	\$13,107.00
RF272-01160	SCANDINAVIAN AIRLINES SYSTEM	282,675,000	\$23,674.00
RF272-02887	SAIRGROUP AG	165,155,783	\$13,832.00
RF272-02888	SINGAPORE AIRLINES LTD.	28,553,548	\$2,391.00
RF272-03409	KOREAN AIRLINES CO., INC.	387,572,538	\$32,459.00
RF272-03554	TAP AIR PORTUGAL	46,470,206	\$3,892.00
RF272-03828	AER LINGUS PLC	86,555,958	\$7,249.00
RF272-03829	AIR INDIA	60,663,769	\$5,080.00
RF272-06228	ALITALIA-LINEE AEREE ITALIANE	203,113,000	\$17,010.00
RF272-06229	OLYMPIC AIRWAYS, S.A.	45,341,517	\$3,797.00
RF272-07213	PAKISTAN INT'L AIRLINES CORP.	21,640,000	\$1,812.00
RF272-07358	EL AL ISRAEL AIRLINES, LTD.	126,966,360	\$10,633.00
RF272-08082	BRITISH AIRWAYS PLC	577,859,640	\$48,395.00
RF272-10503	HOULDER BROTHERS & CO., LTD.	10,089,804	\$845.00
RF272-10504	FURNESS WITHY (CHARTERING) LTD	13,045,767	\$1,093.00
RF272-13607	THOS. & JAS. HARRISON LTD.	19,878,600	\$1,665.00
RF272-19928	CUNARD LINE, LTD.	178,092,236	\$14,915.00
RF272-27769	PACIFIC FAR EAST LINE, INC.	152,307,616	\$12,756.00
RF272-27771	MATSON TERMINALS, INC.	5,925,523	\$496.00
RF272-27772	MATSON NAVIGATION CO., INC.	538,820,778	\$45,125.00
RF272-27773	REEFER EXPRESS LINES PTY. LTD.	86,427,379	\$7,238.00
RF272-27774	JAPAN AIRLINES CO., LTD.	307,685,100	\$25,768.00
RF272-27775	COMPAGNIE NATIONALE AIR FRANCE	533,698,712	\$44,696.00
RF272-27776	LAN-CHILE AIRLINES	49,968,055	\$4,185.00
RF272-60218	MATSON SERVICES CO., INC.	502,953	\$42.00
RF272-65360	MICHAIL A. KARAGEORGIS	11,804,549	\$989.00
RF272-65361	A. HALCOUSSIS SHIPPING LTD.	36,438,808	\$3,052.00
RF272-65362	GOOD FAITH SHIPPING CO., S.A.	11,378,368	\$953.00
RF272-65365	ANAGEL SHIPPING ENTERPRISES	6,094,328	\$510.00
RF272-65366	GOURDOMICHALIS MARITIME S.A.	23,638,043	\$1,980.00
RF272-65367	DAMON S.A.	3,117,859	\$261.00

RF272-65368	A. BACOLITASAS & SONS	2,476,365	\$207.00
RF272-65373	N.J. GOULANDRIS (AGENCIES) LTD	232,535,175	\$19,474.00
RF272-65374	ROYAL BANK OF SCOTLAND	24,963,411	\$2,091.00
RF272-65375	SILJA LINE AB	143,495,479	\$12,018.00
RF272-65376	PEARL CARRIERS, LTD.	2,276,192	\$191.00
RF272-65378	GREAT EASTERN SHIPPING CO.	17,544,934	\$1,469.00
RF272-65380	FRANCO COMPANIA NAVIERA S.A.	2,483,459	\$208.00
RF272-65381	FAFALIOS SHIPPING S.A.	3,161,222	\$265.00
RF272-65382	CHOWGULE STEAMSHIPS LTD.	2,646,435	\$222.00
RF272-65383	NEDA MARITIME AGENCY CO.	5,135,533	\$430.00
RF272-65385	BUGSIER REEDEREI GMBH	6,335,336	\$531.00
RF272-65386	RETHYMNIS & KULUKINDIS LTD.	8,410,165	\$704.00
RF272-65388	ANDERS WILHELMSSEN & CO.	10,213,345	\$855.00
RF272-65390	NAVIGAZIONE ALTA ITALIA SPA.	18,656,073	\$1,562.00
RF272-66563	IBERIA LINEAS AEREAS DE ESPANA	90,937,059	\$7,616.00
RF272-67006	ANTARES SHIPPING CO., LTD.	67,357,993	\$5,641.00
RK272-00275	BRITISH AIRWAYS, PLC.	46,611,693	\$3,904.00
RK272-01853	A NETUMAR LINES	55,054,327	\$4,611.00
RK272-01854	Government Development Bank	389,077,082	\$32,585.00
RK272-02956	LONDON & OVERSEAS FREIGHTERS	37,130,297	\$3,110.00
RK272-03493	UNION DE TRANSPORTS AERIENS	32,724,115	\$2,741.00
RK272-03494	ATLANTIC CONTAINER LINE	51,944,463	\$4,350.00
RK272-03495	ATLANTIC CONTAINER LINE, INC.	42,529,112	\$3,562.00
RK272-03496	INCOTRANS B.V.	142,832,193	\$11,962.00
RR272-00060	TOTEM OCEAN TRAILER EXPRESS	109,985,212	\$9,211.00
Totals	80 Applicants	8,392,732,573	\$702,881.00